



41 3752

ATTORNEY DOCKET NO.: 052250-5016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael A. FISCHER

Application No.: 09/292,152

Filed: April 15, 1999

For: EARLY SUPPRESSION FAST RESPONSE  
FIRE PROTECTION SPRINKLER

Confirmation No.: 3148

Group Art Unit: 3752

Examiner: D. Nguyen

Commissioner for Patents  
U.S. Patent and Trademark Office  
220 20th Street South  
**Customer Window, Mail Stop Amendment**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

RECEIVED  
JUN 30 2004  
TECHNOLOGY CENTER R3700

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the non-final Office Action dated February 9, 2004.
2. Additional papers enclosed:
  - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449, \_\_\_\_\_ references included
  - ☐ Citations
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

06/24/2004 SDIRETA1 00000100 500310 03252152

01 FC:1252 420.00 DA

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$420.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	263	minus	320	0	x \$18 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	16	minus	31	0	x \$84 each=	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of \$420.00 for the two-month extension of time fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS &amp; BOCKIUS LLP

Date: June 22, 2004

By: David W. Laub  
Reg. No. 38,708

Customer No.: 009629

MORGAN, LEWIS &amp; BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20036

Tel.: (202) 739-3000

Fax: (202) 739-3001